

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Duvick *et al.* Group Art Unit: (*not yet assigned*)
 Appl. No.: (*not yet assigned*) Examiner: (*not yet assigned*)
 Filed: June 15, 2001
 For: COMPOSITIONS AND METHODS FOR FUMONISIN DETOXIFICATION

jc973 U.S. PTO
 09/882694
 06/15/01

June 15, 2001

Box Patent Application
 Commissioner for Patents
 Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT
CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a list of documents on Form PTO-1449. It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

All items are attached except those that were supplied in parent Application No. 09/351,224 filed July 12, 1999. Since the benefit of this application was claimed under 35 U.S.C. 120, no copies need to be furnished in accordance with 37 C.F.R. 1.98(d); however, copies will be furnished on request.

Respectfully submitted,

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<p>"Express Mail" Mailing Label Number: EL780617544US Date of Deposit: June 15, 2001</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on June 15, 2001.</p> <p><u>Rebecca Kerney</u> Rebecca Kerney</p>	<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231, on June 15, 2001.</p> <p><u>N/A</u> Rebecca Kerney</p>
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Sheet 1 of 7 Attorney Docket Number 35718/208255 (5718-111C)

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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant Of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1.	5,178,863		Toyoda <i>et al.</i>	01-12-1993	Whole document
	2.	5,639,949		Ligon <i>et al.</i>	06-17-1997	Whole document
	3.	5,716,820		Duvick <i>et al.</i>	02-10-1998	Whole document
	4.	5,792,931		Duvick <i>et al.</i>	08-11-1998	Whole document
	5.	5,877,273		Hance <i>et al.</i>	03-02-1999	Whole document

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document Office ³	Kind Code Number ⁴ (if known) ⁵	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	6.	EP	0712932A2	Sumitomo Chemical Company, Limited	05-22-1996	Whole document	
	7.	WO	95/06121	Biomay Produktions – Und Handelsgesellschaft M.B.H.	03-02-1995	pp. 8-9	
	8.	WO	95/06128	Dekalb Genetics Corporation	03-02-1995	Whole document	
	9.	WO	96/06175	Pioneer Hi-Bred International, Inc.	02-29-1996	Whole document	
	10.	WO	96/12414	Ing. Erich Erber Kommanditge-Sellschaft	05-02-1996	Abstract	
	11.	WO	96/20595	Proguard, Inc.	07-11-1996	Whole document	
	12.	WO	99/02703	Pioneer Hi-Bred International, Inc.	01-21-1999	Whole document	
	13.	WO	99/10514	North Carolina State University	03-04-1999	Whole document	
	14.	WO	99/32505	Eli Lilly and Company	07-01-1999	Whole document	
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¹ Unique citation designation number.² See attached Kinds of U.S. Patent Documents.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	15.	ANZAI <i>et al.</i> (1989) "Transgenic Tobacco Resistant To A Bacterial Disease By The Detoxification Of A Pathogenic Toxin", <i>Mol Gen Genet</i> 219:492-494, ISSN: 0026-3924, XP002083624.	
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	17.	ARMENGAUD (September 17, 1998) "Sphingomonas sp. ORFs G1, G3 to G8 and EDO2 gene", EMBL Accession No:AJ223219, XP002133317, see nts 3310-4600.	
	18.	ARMENGAUD (November 1, 1998) "Flavin-binding monooxygenase-like", PFAM Accession No:PF00743, XP002133310.	
	19.	ARMENGAUD (November 1, 1998) "Putative Monooxygenase", SWISSPROT Accession No:086908, XP002133318.	
	20.	BEDZYK <i>et al.</i> (June 15, 1993) "Paracoccus denitrificans electron transfer flavoprotein alpha and beta subunit genes, complete cds's.", EMBL Accession No:L14864, XP002130956 the whole document.	
	21.	BENNETZEN <i>et al.</i> (1992) "Approaches and Progress in the Molecular Cloning of Plant Disease Resistance Genes", <i>Genetic Engineering</i> 14:99-124.	
	22.	BERGERON <i>et al.</i> (December 4, 1997) "Xanthobacter autotrophicus transcriptional activator AldR (aldR) gene, partial cds.; and NAD-dependent chloroacetaldehyde dehydrogenase (aldB) gene, complete cds.", EMBL Accession No:AF029734, XP002121099, see reverse complement of sequence 2447-2066.	
	23.	BERGERON <i>et al.</i> (January 19, 1998) "Cloning, sequence and expression of a linear plasmid-based and a chromosomal homolog of chloroacetaldehyde dehydrogenase-encoding genes in <i>Xanthobacter autotrophicus</i> GJ10", <i>Gene</i> 207:9-18, XP002121100.	
	24.	BLACKWELL <i>et al.</i> (1999) "Oxidative Deamination of Hydrolyzed Fumonisin B ₁ (AP ₁) by Cultures of <i>Exophiala spinifera</i> ", <i>Natural Toxins</i> 7(1):31-38, ISSN: 1056-9014, XP002121276.	
	25.	BLATTNER <i>et al.</i> (October 1, 1996) "Hypothetical transcriptional regulator in MODC-BIOA intergenic region", SWISSPROT Accession No:p52696, XP002121103 the whole document.	
	26.	BLATTNER <i>et al.</i> (January 29, 1997) "Escherichia coli K-12 MG1655 section 69 of 400 of the complete genome", EMBL Accession No:AE000179, XP002122134 see complement (4647..5663).	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	(not yet assigned)
		Filing Date	June 15, 2001
		First Named Inventor	Duvick
		Group Art Unit	(not yet assigned)
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	27.	BOWEN <i>et al.</i> (May 5, 1997) "Cloning and Phylogenetic Analysis of the Genes Encoding Acetohydroxyacid Synthase from the Archaeon <i>methanococcus aeolicus</i> ", <i>Gene</i> 188:77-84, XP002130949 figure 2 and EMBL Accession No:U35458 (May 5, 1997).	
	28.	CHATTOPADHYAY <i>et al.</i> (1994) "Molecular Cloning And Sequencing Of An Operon, <i>carRS</i> Of <i>Azospirillum brasilense</i> , That Codes For A Novel Two-Component Regulatory System: Demonstration Of A Positive Regulatory Role Of <i>carR</i> For Global Control Of Carbohydrate Catabolism", <i>Journal of Bacteriology</i> 176(24):7484-7490.	
	29.	CHATTOPADHYAY <i>et al.</i> (1996) "CarR Gene", TREMBL Accession No. Q43901, XP002121105.	
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	32.	CHEN <i>et al.</i> (October 1, 1989) "Cyclohexanone Monooxygenase (EC 1.14.13.22)", SWISSPROT Accession No:P12015, XP002133309.	
	33.	CHEN <i>et al.</i> (October 1, 1989) "Flavin-binding monooxygenase-like", PFAM Accession No:PF00743, XP002133310.	
	34.	CHUDHARY <i>et al.</i> (June 6, 1998) "483PLA2 Cosmid library of chromosome II Rhodobacter sphaeroides genomic clone 483PLA2, genomic survey sequence", EMBL Accession No: AQ012082, XP002130954, the whole document.	
	35.	COLE <i>et al.</i> (May 10, 1996) "Mycobacterium tuberculosis H37Rv complete genome; segment 41/162", EMBL Accession No:Z73101, XP002130945, the whole document and "Probable Monooxygenase RV0892 (EC 1.14.13.*)," SWISSPROT Accession No:Q10532 (October 1, 1996).	
	36.	COLE <i>et al.</i> (November 9, 1997) "Mycobacterium tuberculosis H37Rv complete genome; segment 125-162", EMBL Accession No:AL008883, XP002121098, see sequence 1434-1843.	
	37.	COLE <i>et al.</i> (January 15, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 132/162", EMBL Accession No:AL021287, XP002130944, the whole document and TREMBL Accession No:053294, (June 1, 1998).	
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Sheet	4	of	7	Attorney Docket Number	35718/208255 (5718-111C)

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NON PATENT LITERATURE DOCUMENTS

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	39.	COLE <i>et al.</i> (February 22, 1998) "Mycobacterium tuberculosis H37Rv complete genome; segment 29/162", EMBL Accession No:AL021942, XP002130940, the whole document.	
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	44.	DU (December 15, 1996) "Mycobacterium tuberculosis sequence from clone y175", EMBL Accession No:AD000015, XP002121097, see sequence 6027-6064.	
	45.	DUVICK <i>et al.</i> (1998) "Detoxification Of Mycotoxins In Planta As A Strategy For Improving Grain Quality And Disease Resistance: Identification Of Fumonisin-Degrading Microbes From Maize", <i>Molecular Genetics of Host-Specific Toxins In Plant Disease</i> , Proceedings of the 3 rd Tottori International Symposium Daisen, Tottori, Japan August 24-29, 1997, nn. 369-381, ISBN: 0-7923-4981-4, 1998, XP002121275.	
	46.	FREIBERG <i>et al.</i> (October 1, 1996) "Putative transcriptional regulator Y4SM (ORF-1)", SWISSPROT Accession No:P50337, XP002121106, the whole document.	
	47.	GHOSH <i>et al.</i> (January 30, 1995) "A.brasilense carR gene", EMBL Accession No:X70360, XP002122135 the whole document and CHATTOPADHYAY <i>et al.</i> (November 1, 1996) "CarR Gene", TREMBL Accession NO:Q43901, XP002121105 the whole document.	
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First Named Inventor	Duvick
Group Art Unit	(not yet assigned)
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Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	50.	ISHIGURO <i>et al.</i> (April 22, 1989) "Transposon Tn4311 (from <i>E. coli</i> K-12) citrate utilization protein citA and citB genes, complete cds.", EMBL Accession No:M22041, XP002130953, the whole document.	
	51.	ISHIHARA <i>et al.</i> , AB#006450.	
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	58.	MARTINEZ-SALAZAR <i>et al.</i> (April 1996) "Characterization of the Genes Coding for the Putative Sigma Factor AlgU and Its Regulators MucA, MucB, MucC, and MucD in <i>Azotobacter vinelandii</i> and Evaluation of Their Roles in Alginate Biosynthesis", <i>Journal of Bacteriology</i> 178(7):1800-1808, XP002130939.	
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(Use as many sheets as necessary)				First Named Inventor	Duvick
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	62.	MURAKAMI <i>et al.</i> (January 21, 1999) "Cloning And Sequence Analysis Of Two Catechol-Degrading Gene Clusters From The Aniline-Assimilating Bacterium <i>Fratercula</i> Species ANA-18", <i>Gene</i> 226(2):189-198	
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	69.	PERRET <i>et al.</i> (August 4, 1993) "Rhizobium sp. ORF-1 and ORF-2", EMBL Accession No:X74314, XP002121101, sequence 463-852.	
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	71.	PLUNKETT <i>et al.</i> (December 30, 1994) "Escherichia coli K-12 chromosomal region from 67.4 to 76.0 minutes", EMBL Accession No:U18997, XP002130937, the whole document.	
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	83.	WILLINS <i>et al.</i> (1991) "Characterization Of Lrp, an <i>Escherichia coli</i> Regulatory Protein That Mediates A Global Response To Leucine", <i>The Journal of Biological Chemistry</i> 266(17):10768-10774.	
Examiner Signature		Date Considered	

* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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